

**PHARMACY BOARD[657]**

**Adopted and Filed**

**Rulemaking related to controlled substances**

The Board of Pharmacy hereby amends Chapter 10, “Controlled Substances,” and Chapter 12, “Precursor Substances,” Iowa Administrative Code.

*Legal Authority for Rulemaking*

This rulemaking is adopted under the authority provided in Iowa Code sections 124.201 and 124B.2(2).

*State or Federal Law Implemented*

This rulemaking implements, in whole or in part, Iowa Code sections 124.201 and 124B.2(2).

*Purpose and Summary*

This rulemaking temporarily adds one List I chemical (a substance used to manufacture illicit fentanyl) to the list of precursor substances in Iowa Code chapter 124B and one hallucinogen to Schedule I of the Controlled Substances Act in response to similar action taken by the federal Drug Enforcement Administration.

*Public Comment and Changes to Rulemaking*

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on July 26, 2023, as **ARC 7048C**. No public comments were received. No changes from the Notice have been made.

*Adoption of Rulemaking*

This rulemaking was adopted by the Board on November 7, 2023.

*Fiscal Impact*

This rulemaking has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rulemaking, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 657—Chapter 34.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rulemaking will become effective on January 17, 2024.

The following rulemaking action is adopted:

ITEM 1. Amend subrule 10.39(6) as follows:

**10.39(6)** Amend Iowa Code section 124.204(4) by adding the following new ~~paragraph~~ paragraphs:

*cl.* No change.

*cm.* 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)butan-1-one. Other names: eutylone, bk-EBDB.

ITEM 2. Amend subrule 12.1(1) as follows:

**12.1(1)** Amend Iowa Code section 124B.2(1) by adding the following new paragraphs:

*ah.* and *ai.* No change.

*aj.* 4-piperidone (piperidin-4-one), its acetals, its amides, its carbamates, its salts, and salts of its acetals, its amides, and its carbamates, and any combination thereof, whenever the existence of such is possible.

[Filed 11/14/23, effective 1/17/24]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 12/13/23.